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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CAROL FUNK, an individual,

Case No. 3:23-cv-01260-IM

Plaintiff,

**JOINT STATUS REPORT AND
DISCOVERY PLAN**

v.

OREGON HEALTH AND SCIENCE
UNIVERSITY, an independent public
corporation,

Defendant.

Pursuant to Federal Rule of Civil Procedure 26(f), the parties conducted a discovery conference. They submit this discovery plan and proposed case schedule for the following cases pursuant to FRCP 26(f), Local Rules 16 and 26, and the Court's February 9, 2024 Order (ECF 17).

A. JOINT STATUS REPORT AND DISCOVERY PLAN

1. Nature and Complexity of Case: On August 28, 2023, Plaintiff filed a Complaint against Oregon Health and Science University (“OHSU”) alleging claims for disability and religious discrimination under the Title II of the Americans with Disabilities Act (the “ADA”), Title VII of the Civil Rights Act (“Title VII”), ORS 659A.112, and ORS 659A.030. On November 13, 2023, OHSU filed a motion to dismiss Plaintiff’s Complaint. ECF 7. Plaintiff agreed to dismiss her First, Second, and Third Claims for Relief under the ADA, ORS 659A.112, and ORS 659A.030, respectively, and OHSU withdrew its motion to dismiss Plaintiff’s Fourth Claim for Relief under Title VII. ECF 7 at 2 n.1; ECF 10 at 2 n.1; ECF 14 at 2-3. On January 11, 2024, the Court issued an Order dismissing Plaintiff’s First, Second, and Third Claims for Relief and stating that “[a]t this time, only Plaintiff’s Title VII claim will be moving forward in this case.” ECF 15. The parties agree that this case is not complex in terms of the number of documents or the legal issues. The parties do not anticipate that this will require greater than normal time provided to complete discovery and trial.

2. Deadline for Amending Pleadings/Joining Additional Parties: The parties propose a deadline of April 30, 2024 to amend the pleadings and/or join additional parties.

3. Consent to a U.S. Magistrate Judge: There is not full consent to the use of a Magistrate Judge.

4. Proposed Discovery Plan:

(a) The parties’ deadline to exchange LR 26-7 initial discovery is February 26, 2024.

(b) Pursuant to LR 26-2, the parties have agreed to forgo the disclosures required by Fed. R. Civ. P. 26(a)(1) and have filed with the Court a copy of the Fed. R. Civ. P. 26(a)(1) Discovery Agreement. The parties otherwise anticipate taking discovery

in accordance with the applicable civil rules and case law on subjects pertinent to their claims and/or defenses.

(c) The parties anticipate seeking discovery of electronically stored information, including emails, as well as documents generally kept in the usual course of Defendant's business. The parties do not anticipate the discovery of electronically stored information to present unique or complex issues. The parties agree to work collaboratively according to the particular needs of the request regarding the form of request and production of ESI.

(d) The parties do not anticipate that privilege issues will play a larger role in this case than they typically do in similar cases.

(e) The parties do not agree at this time to limiting discovery beyond the limits imposed by the applicable federal and/or local rules. The parties agree to confer and work cooperatively where possible regarding this issue as discovery progresses.

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B. PROPOSED CASE SCHEDULE

Per the Court's instructions and February 9, 2024 Order, the parties have filed the Rule 16 Conference Checklist via CM/ECF and submitted a copy via email to the Court. The Checklist outlines the parties' proposed case schedule and deadlines in this case.

DATED: February 14, 2024

STOEL RIVES LLP

/s/ Sophie Shaddy-Farnsworth

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